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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,741	07/28/2000	Jean Francois Le Pennec	FR9-1999-0108-US1	2788

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EXAMINER

EDELMAN, BRADLEY E

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 04/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/627,741

Applicant(s)

LE PENNEC ET AL.

Examiner

Bradley Edelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is a first office action on the merits of this case. Claims 1-10 are presented for examination.

#### ***Specification***

1. The disclosure is objected to because of the following informalities: the specification contains numerous grammatical errors or unconventional phrases. For example, see p. 4, line 15 "password or thanks to a certificate included in the workstation;" p. 5, lines 1-5 (confusing, run-on sentence); p. 5, line 17, "meteo," "Real;" p. 6, line 12, "the user can build its own portal page;" p. 6, line 24, "it allows to get more details," etc.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

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directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Baber et al. (U.S. Patent No. 6,195,696, hereinafter "Baber").

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In considering claim 1, Baber discloses a server assisted system for accessing web page fields comprising a wireless PDA communicating with an Internet network through a wireless Internet gateway and a portal server capable of accessing resources of the Internet network such as servers (col. 10, lines 12-18; col. 11, lines 18-29; col. 1, lines 16-17, wherein the "intranet" disclosed "may or may not connections to the outside Internet" and wherein the use of a PDA and/or smartphone to access the Internet necessarily uses wireless communication with a wireless Internet gateway), said server assisted system being characterized in that:

Said portal server comprising a data base containing at least identifying information enabling fields of web pages selected by a user to be retrieved, and portal handling means for accessing said selected web page fields (col. 9, lines 55-67; col. 11, lines 18-30, col. 14, lines 15-29, Figs. 19-20); and

Said PDA comprising portal browsing means for browsing said selected web page fields and retrieving at least one of said selected web page fields, and displaying means for displaying said retrieved web page field (col. 10, lines 12-18).

In considering claim 2, Baber further discloses a portal real time server for accessing resources of said Internet network and retrieving from said servers web page fields requested by said portal browsing means (col. 11, lines 55-60, "server-push;" col. 13, lines 24-26, "stock ticker").

In considering claim 3, Baber further discloses a portal back server for periodically updating defined web page fields stored in the data base (col. 11, lines 54-59).

In considering claim 4, Baber further discloses that the portal real time server looks at the data base before accessing the resources of the Internet network to determine whether said web page fields requested by said portal browsing means are within the defined web page fields being periodically updated (col. 11, lines 46-60,

wherein the server can update the selected fields every time a user logs in the server, if the contents then need updating).

In considering claim 5, Baber further discloses that the system includes a PC web browser for accessing the resources of said Internet network, and for browsing web pages selected by a user, and a portal configuration for configuring selected web page fields before transferring them to said portal server, and wherein the portal server includes a database builder for storing at least identifying information relating to the web page fields into the database (col. 10, lines 13-29; col. 12, lines 4-21).

In considering claim 6, Baber further discloses that the system includes a PDA web browser for accessing the resources of said Internet network, and for browsing web pages selected by a user, and a PDA configuration for configuring selected web page fields before transferring them to said portal server, and wherein the portal server includes a database builder for storing at least identifying information relating to the web page fields into the database (col. 10, lines 13-29; col. 12, lines 4-21).

In considering claim 7, Baber further discloses that the PC web browser has means for accessing a URL address of a selected web page, and means for selecting one or several fields in the URL web page, and means for converting the selected URL web page fields into a format for being stored in the data base (col. 9, lines 46-62; col. 10, lines 12-24; col. 12, lines 5-21; wherein users select desired fields (i.e. units of

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content) to retrieve from URLs, and those fields can be converted to fit the format of the user device, and stored in the user and component database).

In considering claim 8, Baber further discloses that the PDA web browser has means for accessing a URL address of a selected web page, and means for selecting one or several fields in the URL web page, and means for converting the selected URL web page fields into a format for being stored in the data base (col. 9, lines 46-62; col. 10, lines 12-24; col. 12, lines 5-21; wherein users select desired fields (i.e. units of content) to retrieve from URLs, and those fields can be converted to fit the format of the user device, and stored in the user and component database).

In considering claim 9, Baber further discloses that the portal browsing means in the PDA includes input means for selecting one or several web page fields stored in the data base of the portal server in order to display said fields by said PDA display means (col. 13, lines 20-30, wherein a user can click on "stock ticker" button to display the stock ticker field).

In considering claim 10, Baber further discloses that the input means includes means for modifying the field(s) being displayed by said PDA display means such as viewing only one field among the fields previously displayed (col. 13, lines 39-67, wherein users can modify the content templates to view any particular desired fields).

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is (703) 306-3041. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

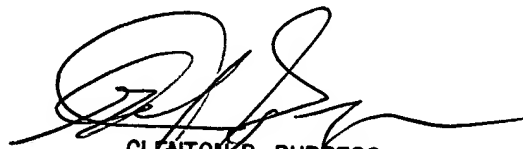
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (703) 305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

For all After Final papers: (703) 746-7238.

For all other correspondences: (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

BE  
April 14, 2003



GLENTON B. BURGESS  
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